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To: <b>Examiner ASHWIN D. MEHTA</b>	From: <b>Erin M. Dunston</b>
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Fax Tel. No.: <b>703-746-7413</b>	Sent By: <b>Laura Bell</b>
Your Ref.: <b>09/971,020</b>	Our Ref.: <b>026350-068</b>
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**RE:** ~~PROPOSED AMENDMENTS FOR DISCUSSION PURPOSES ONLY~~  
(FOR INTERVIEW TODAY AT 2 PM)**MESSAGE:**

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(BDSM 05/01)

**DRAFT****PROPOSED AMENDMENTS**

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USSN 09/971,020

Attorney Docket No. 026350-068

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18. (Allowed) An isolated gene encoding a polypeptide consisting of the amino acid sequence defined by amino acids 1-378 of SEQ ID NO:1.
19. (Proposed Amendment) An isolated gene encoding a polypeptide consisting of an amino acid sequence exhibiting at least [90%] 99% identity with the amino acid sequence defined by amino acids 1-378 of SEQ ID NO:1, wherein said polypeptide has the activity to biosynthesize theobromine using 7-methylxanthine as the substrate.
20. (Allowed) An isolated gene consisting of the nucleotide sequence defined by nucleotides 1-1298 of SEQ ID NO:2.
21. (Proposed Amendment) An isolated gene consisting of a nucleotide sequence exhibiting at least [90%] 99% identity with the nucleotide sequence defined by nucleotides 1-1298 of SEQ ID NO:2, wherein said isolated gene encodes a polypeptide having the activity to biosynthesize theobromine using 7-methylxanthine as the substrate.
22. (Proposed Amendment) A transformed plant wherein expression of the gene according to any one of Claims 18 to 20 is decreased in the plant to inhibit biosynthesis of theobromine, and wherein said expression is decreased using antisense, co-suppression, or RNA interference technology.
23. (Review) The transformed plant according to Claim 22, wherein antisense gene method is utilized to inhibit biosynthesis of theobromine.
24. The transformed plant according to Claim 22, wherein said plant is selected from the group consisting of *Coffea arabica*, *Coffea canephora*, *Coffea liberica* and *Coffea dewevrei*.
25. A seed obtained from the transformed plant according to claim 22.
26. A seed obtained from the transformed plant according to claim 23.
27. A seed obtained from the transformed plant according to claim 24.

**PROPOSED AMENDMENTS**

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30. A seed obtained from the transformed plant according to claim 28.
32. (Proposed Amendment) A method for production of a transformed plant in which biosynthesis of theobromine is inhibited in the plant by decreasing expression of the gene according to Claims 18 or 20, and wherein said expression is decreased using antisense, co-suppression, or RNA interference technology.
33. (Objected To - Review) The method according to Claim 32, wherein antisense gene method is utilized to inhibit biosynthesis of theobromine.

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**ANCILLARY ISSUES:**

Revised Sequence Listing

Figures

Publications